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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,597	03/15/2004	Takeshi Ishida	325772800000	8279

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EXAMINER

MACKEY, PATRICK HEWEY

ART UNIT PAPER NUMBER

3651

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,597

Applicant(s)

ISHIDA, TAKESHI

Examiner

Patrick H. Mackey

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 and 10-12 is/are allowed.
- 6) ☒ Claim(s) 4-9 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 031504.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Sheet Measurer and Folder.

3. The disclosure is objected to because of the following informalities: The Brief Description of Drawings should list "Figs. 6a-6d" rather than "Fig. 6" and "Fig. 10a-10c" rather than "Fig. 10".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-9 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawatsu et al. in view of Gray, Jr. Kawatsu discloses a finisher that includes a feeder (70); a sheet folding unit (710); a sheet accumulator (733/730); and a stapler (735). Kawatsu discloses all the limitations of the claims, but it does not disclose a measuring unit, a detector that detects a sheet being conveyed, or a controller that controls a feeder and a sheet folding unit and executes:

Art Unit: 3651

1) an operation in which the sheet is conveyed in a first direction, and is then stopped when a downstream edge thereof relative to the first direction is at a prescribed position along the conveyance path, 2) an operation in which, after the sheet is stopped, the sheet is conveyed in the second direction by a prescribed amount based on a sheet length along a direction of conveyance and stopped, and 3) an operation in which, after the sheet is stopped for the second time, the sheet folding unit is operated to create a fold line at a prescribed position on the sheet. However, Gray, Jr. discloses a similar finisher that includes a measuring unit (see col. 4, line 68), a detector (90, 91) that detects a sheet being conveyed, and a controller that controls a feeder and a sheet folding unit and executes: 1) an operation in which the sheet is conveyed in the first direction, and is then stopped when a downstream edge thereof relative to the first direction is at a prescribed position along the conveyance path, 2) an operation in which, after the sheet is stopped, the sheet is conveyed in the second direction by a prescribed amount based on a sheet length along a direction of conveyance and stopped, and 3) an operation in which, after the sheet is stopped for the second time, the sheet folding unit is operated to create a fold line at a prescribed position on the sheet (see col. 4, line 54 – col. 5, line 40) for the purpose of allowing easy control over the position of a crease without the need to move a hard stop (such as the hard stop 719 disclosed by Kawatsu) (see col. 2, lines 50-61). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Kawatsu by replacing its hard stop with a measuring unit, a detector that detects a sheet being conveyed, and a controller that controls a feeder and a sheet folding unit and executes: 1) an operation in which the sheet is conveyed in the first direction, and is then stopped when a downstream edge thereof relative to the first direction is at a prescribed position along the conveyance path, 2) an

Art Unit: 3651

operation in which, after the sheet is stopped, the sheet is conveyed in the second direction by a prescribed amount based on a sheet length along a direction of conveyance and stopped, and 3) an operation in which, after the sheet is stopped for the second time, the sheet folding unit is operated to create a fold line at a prescribed position on the sheet, as disclosed by Gray, Jr., for the purpose of allowing easy control over the position of a crease without the need to move a hard stop.

Allowable Subject Matter

6. Claims 1-3 and 10-12 are allowed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick H. Mackey whose telephone number is (571) 272-6916.

The examiner can normally be reached on Tuesday-Friday 7:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3651

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'FCS', with a long horizontal stroke extending to the left.

Patrick H. Mackey
Primary Examiner
Art Unit 3651

November 9, 2005